

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

Case No. 14-12471

v.

District Judge John Corbett O'Meara  
Magistrate Judge R. Steven Whalen

JOHN DOE subscriber assigned  
to IP address 98.243.118.0,

Defendant.

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**AMENDED NOTICE OF HEARING**

The District Judge having entered an order pursuant to 28 U.S.C. 636(b)(1)(A) referring the following to United States Magistrate Judge R. Steven Whalen for hearing and determination:

**Defendant's Motion for Protective Order to Quash the Subpoena Issued to Comcast Cable Holdings, LLC (#6) filed 8/20/14.**

The motion is reset for hearing **THURSDAY, NOVEMBER 13, 2014 at 10:00 A.M.**, before the Magistrate Judge in courtroom 662, Theodore Levin U.S. Courthouse, Detroit, Michigan.

A separate copy of any responsive pleadings shall be **sent directly** to Magistrate Judge Whalen's chambers at 673 U.S. Courthouse, Detroit, MI 48226.

s/R. Steven Whalen

R. STEVEN WHALEN

UNITED STATES MAGISTRATE JUDGE

Dated: October 6, 2014

**SPECIAL REQUIREMENTS FOR DISCOVERY MOTIONS**

If the motion addresses discovery issues, counsel shall comply with the following requirements:

A. Pursuant to E.D. Mich. Local Rule 37.1, counsel shall meet and confer on all presently pending discovery motions that have been referred to the Magistrate Judge. Because the Local Rule requires a good faith effort to narrow the areas of disagreement to the greatest possible extent, it is not satisfied by mere compliance with Local Rule 7.1, which requires the moving party to seek concurrence in a motion. Accordingly, the parties are directed to meet and confer **face-to-face** in advance of the hearing. The face-to-face requirement is not satisfied by a telephonic conference, unless exceptional circumstances exist which make a face-to-face conference not feasible. In that case, prior to holding a telephonic conference, the moving party will submit a written statement to the Magistrate Judge explaining why a telephonic conference is necessary.

B. The L.R. 37.1 conference shall include an item-by-item discussion of each issue in dispute. Any party refusing to appear for this meeting or to confer as the Court has directed will be subject to sanctions.

C. No later than **November 6, 2014**, the movant must notify the Magistrate Judge of the results of the conference in writing. If the disputed issues have all been resolved, the parties shall submit to the Magistrate Judge a stipulation and proposed order disposing of the motion.

If unresolved issues remain, the parties shall file a Joint List of Unresolved Issues no later than **November 12, 2014**. The Joint List of Unresolved Issues must be filed electronically.

The Joint List of Unresolved Issues shall enumerate and state, in a succinct fashion, the respective positions of each party on every issue which remains in dispute. The Joint List shall not exceed ten (10) pages. No exhibits or attachments shall be filed with the Joint List. The Joint List of Unresolved Issues must be signed by all parties to the dispute, or their attorneys.

Dated: OCTOBER 6, 2014

s/R. Steven Whalen  
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R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

### **CERTIFICATE OF SERVICE**

I hereby certify on October 6, 2014, that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on October 6, 2014: **None.**

s/Terri L. Hackman

Judicial Assistant to

Magistrate Judge R. Steven Whalen